



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

---

The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

June 23, 2021

Via ECF

The Honorable Valerie E. Caproni  
United States District Judge  
Southern District of New York  
United States Courthouse  
40 Foley Square, Courtroom 443  
New York, New York 10007

**Re: United States v. Armando Gomez, et ano., 18 Cr. 262 (VEC)**

Dear Judge Caproni:

We write pursuant to the Court's March 24, 2021 order to update the Court on the status of the above-referenced matter. (Dkt. 79). Defendant Fabio Simon Younes Arboleda arrived in this District in November 2020, and his review of discovery material with counsel remains ongoing. In addition, while the parties continue to discuss a potential disposition, defendant Armando Gomez, [REDACTED] interrupting defense counsel's communications regarding a possible disposition with him and their ongoing review of discovery material.

Further, as remains the case from the last update provided to the Court, the defendants report to the Court that the voluminous discovery includes numerous recordings of hours long meetings during which Spanish is spoken, including many with audio quality that makes creating transcripts and reviewing the recordings challenging. The defendants continue to review these recordings but this review has been hindered by COVID-19 protocols and the volume of the material in question. In addition, the Government is providing additional and updated transcripts to aid in the defendant's review, and the Westchester County Jail has recently allowed for in-person attorney visits which will aid in counsel's continued review with the defendants. As such, the parties believe that their conversations about the need for motion practice and the possibility of reaching pre-trial dispositions will grow more fruitful in the next 75 days.

Finally, while the parties remain available to appear as scheduled on July 2, 2021, to the extent the Court wishes to adjourn this conference, the Government respectfully requests, with the consent of defense counsel, that the Court exclude time under the Speedy Trial Act, 18 U.S.C. § 3161(7)(A), until the date of the next status conference, so that defense counsel can continue to review the discovery material and contemplate potential motions and prepare for a possible trial, and due to the COVID-19 pandemic. If the Court adjourns the upcoming status conference, the parties will prepare by the next conference date to either inform that Court that dispositions are imminent or to propose a pre-trial motion schedule and potential trial calendar.

Respectfully submitted,

AUDREY STRAUSS  
United States Attorney

By: /s/ Jason A. Richman  
Jason A. Richman  
Benjamin Woodside Schrier  
Kyle Wirshba  
Assistant United States Attorneys  
(212) 637-1062 / 2589 / 2493

cc: Margaret M. Shalley, Esq. and Donald Yanella, Esq. (by ECF)